

REMARKS

Claims 1, 2, 5-11, 13-21, 23, 26-28, and 30-36 are pending in this application; claims 14, 15, 31, and 32 have been withdrawn from consideration. By this Amendment, the specification and claims 1, 2, 5-11, 16, 17, 21, 23, and 26-28 are amended, claims 3, 4, 12, 22, 24, 25, and 29 are canceled, and claims 33-36 are added. Support for the amendments to the claims may be found, for example, on page 3, lines 9-11 and page 14, line 5, of the present specification. Support for newly added claims 33-36 may be found, for example, on page 28, line 13, page 35, lines 7-10, Table 1A-1, and Table 2B-1 of the present specification. No new matter is added. In view of at least the foregoing amendments and the following remarks, reconsideration and allowance are respectfully requested.

I. Response to Restriction Requirement

Applicants confirm the oral election of Group I, claims 1-13 and 16-30, with traverse.

It is respectfully submitted that the subject matter of all of the claims is sufficiently related that a thorough search for the subject matter of any one Group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

II. Claim Objections

The Office Action objects to claims 5, 8, 12, 23, and 29. By this Amendment, claims 5, 8, and 23 are amended to address the Examiner's concerns, and claims 12 and 29 are canceled, rendering their objections moot. Reconsideration and withdrawal of the objections are respectfully requested.

III. Rejection Under 35 U.S.C. §102

The Office Action rejects claims 1, 2, 4, 9, 12, 13, and 29 under 35 U.S.C. §102(b) as allegedly being anticipated by Azuma et al. (WO Publication No. 00/41443, hereinafter "Azuma"), relying upon Higashi et al. (U.S. Patent Application Publication No. 2004/0007971, hereinafter "Higashi") as the U.S. equivalent of Azuma. By this Amendment, claims 4, 12, and 29 are canceled, rendering their rejection moot. As for the remaining claims, Applicants respectfully traverse the rejection.

By this Amendment, claim 1 is amended to more clearly distinguish over the applied references. Specifically, claim 1 is amended to recite "[a] hole transport material to be used for a layer having the function of transporting holes in an organic EL device, the hole transport material being poly(3,4-ethylenedioxythiophene/styrenesulfonic acid), wherein the poly(3,4-ethylenedioxythiophene/styrenesulfonic acid) is characterized in that when the hole transport material is dissolved or dispersed in a liquid so that its concentration becomes 2.0 wt %, the liquid contains nonionic impurities having a molecular weight of 5,000 or less, but an amount of the nonionic impurities contained therein is 40 ppm or less, and the nonionic impurities consist essentially of a polyalcohol." Similarly, independent claim 9 is amended to recite "[a] layer having the function of transporting holes and provided in an organic EL device, wherein the layer is characterized by containing nonionic impurities having a molecular weight of 5,000 or less, but an amount of the nonionic impurities is 2,000 ppm or less, and the layer comprises poly(3,4-ethylenedioxythiophene/styrenesulfonic acid) and the

nonionic impurities consist essentially of a polyalcohol." Azuma (or Higashi) does not disclose, either expressly or inherently, all of the elements of claims 1 and 9.

Instead, Higashi discloses nonionic impurities, such as 1-iodonaphthalene, N-(naphthyl-1-yl)-N-N'-diphenyl-4,4'-benzidine and amine oxides (*see* pages 5 and 6 of the Office Action). However, Higashi fails to disclose that the "nonionic impurities consist essentially of a polyalcohol," as recited in independent claims 1 and 9.

For at least this reason, Applicants submit that Azuma fails to disclose each and every element of independent claims 1 and 9 (from which claims 2 and 13 depend), as required for anticipation under 35 U.S.C. §102(b). Thus, Azuma does not anticipate claims 1, 2, 9, and 13. Reconsideration and withdrawal of the rejection are respectfully requested.

IV. Rejections Under 35 U.S.C. §103

The Office Action rejects claims 1-13 and 16-30 under 35 U.S.C. §103(a) as allegedly being unpatentable over Enomota et al. (KR Publication No. 2003/078731, hereinafter "Enomota"), relying on Naito et al. (U.S. Patent Application Publication No. 2004/0018386, hereinafter "Naito") as an English translation of Enomota; and rejects claims 8, 16, 23-28, and 30 under 35 U.S.C. §103(a) as allegedly being unpatentable over Azuma (relying upon Higashi as its U.S. equivalent) in view of Enomota (relying upon Naito as an English translation of Enomota). By this Amendment, claims 3, 4, 12, 22, 24, 25, and 29 are canceled, rendering their rejection moot. As for the remaining claims, Applicants respectfully traverse the rejections.

A. Enomota (Naito)

The Office Action asserts that Naito teaches that poly(3,4,ethylenedioxythiophene) is an impurity (*see* page 8 of the Office Action and Naito, paragraph [0033]). However, Naito fails to disclose that the "nonionic impurities consist essentially of a polyalcohol," as recited in independent claims 1, 9, 10, 16, and 27. Therefore, Applicants submit that Enomota (or

Naito) fails to teach, suggest, or establish any reason or rationale to provide the combination of features recited in independent claims 1, 9, 10, 16, and 27 (from which claims 2, 5, 6, 7, 8, 11, 13, 17-21, 23, 26, 28, and 30). Therefore, Applicants submit that Enomota (or Naito) fails to disclose or to have rendered obvious all of the elements of claims 1, 2, 5-11, 13, 16-21, 23, 26-28, and 30.

Reconsideration and withdrawal of the rejection are respectfully requested.

B. Azuma in view of Enomota (Naito)

For the reasons set forth above, Applicants submit that Azuma (or Higashi) fails to disclose and likewise fails to teach, suggest, or establish any reason or rationale to provide the combination of features recited in independent claim 1, from which claim 8 depends. Similarly, Higashi fails to disclose that the "nonionic impurities consist essentially of a polyalcohol," as recited in independent claims 16 and 27. Thus, Applicants submit that Azuma (or Higashi) fails to disclose and likewise fails to teach, suggest, or establish any reason or rationale to provide the combination of features recited in independent claims 1, 16 and 27, from which claims 8, 23, 26, 28, and 30 depend.

As discussed above, Enomota (or Naito) also fails to teach, suggest, or establish any reason or rationale to provide the features of claims 1, 16, and 27, and thus fails to cure the aforementioned deficiencies of Azuma (or Higashi). Therefore, Applicants submit that Azuma (or Higashi) and Enomota (or Naito) (considered either alone or in combination) fail to disclose or to have rendered obvious all of the elements of claims 8, 16, 23-28.

Reconsideration and withdrawal of the rejection are respectfully requested.

V. New Claims

By this Amendment, new claims 33-36 are presented. New claims 33-36 depend from claims 1 and 16 and, thus, distinguish over the applied references for at least the reasons

discussed above with respect to claim 1 and 16. Prompt examination and allowance of new claims 33-36 are respectfully requested.

VI. Request for Rejoinder

Applicants also respectfully request rejoinder of non-elected method claims 14, 15, 31, and 32. Where product and process claims are presented in the same application, Applicants may be called upon under 35 U.S.C. §121 to elect claims to either the product or process. MPEP § 821.04. However, in the case of an elected product claim, rejoinder will be permitted when a product claim is found allowable and the withdrawn process claim depends from or otherwise includes all the limitations of an allowed product claim. *Id.* Because process claims 14, 15, 31, and 32 include all the limitations of product claims 1 and 16, process claims 14, 15, 31, and 32 must be rejoined with the product claims when the product claims are found allowable.

VII. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the application are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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